



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE

1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

July 27, 2010

The Honorable David R. Obey
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman,

Enclosed is a copy of the charter that renews the Uniform Formulary Beneficiary Advisory Panel, which is being filed with your office in accordance with the Federal Advisory Committee Act of 1972, as amended (5 U.S.C. Appendix).

Copies of this charter are also being filed with the Library of Congress, the Senate Committees on Armed Services, Appropriations; and the House Committees on Armed Services.

Sincerely,

A handwritten signature in black ink, which appears to read "James D. Freeman II", is written over a horizontal line.

James D. Freeman II
Deputy Advisory Committee Management
Officer for the Department of Defense

1 Enclosure
As stated



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE

1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

July 27, 2010

The Honorable Ike Skelton
Chairman
Committee on Armed Services
U.S. House of Representatives
2120 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman,

Enclosed is a copy of the charter that renews the Uniform Formulary Beneficiary Advisory Panel, which is being filed with your office in accordance with the Federal Advisory Committee Act of 1972, as amended (5 U.S.C. Appendix).

Copies of this charter are also being filed with the Library of Congress, the Senate Committees on Armed Services, Appropriations; and the House Committee on Appropriations.

Sincerely,

A handwritten signature in black ink, which appears to read "James D. Freeman II", is written over a large, stylized "D" that serves as a background for the signature.

James D. Freeman II
Deputy Committee Management Officer
for the Department of Defense

1 Enclosure
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July 27, 2010

Library of Congress
Federal Advisory Committee Desk
Government Documents Section
101 Independence Avenue, S.E.
Washington, D.C. 20540

Dear Sir or Madam,

Enclosed is a copy of the charter that renews the Uniform Formulary Beneficiary Advisory Panel, which is being filed with your office in accordance with the Federal Advisory Committee Act of 1972, as amended (5 U.S.C. Appendix).

Copies of this charter are also being filed with the Senate Committees on Armed Services, Appropriations; and the House Committees on Armed Services, and Appropriations.

Sincerely,

A handwritten signature in black ink, which appears to read "James D. Freeman II", is written over a large, stylized circular flourish.

James D. Freeman II
Deputy Committee Management Officer
for the Department of Defense

1 Enclosure
As stated



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE

1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

July 27, 2010

The Honorable Daniel K. Inouye
Chairman
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman,

Enclosed is a copy of the charter that renews the Uniform Formulary Beneficiary Advisory Panel, which is being filed with your office in accordance with the Federal Advisory Committee Act of 1972, as amended (5 U.S.C., Appendix).

Copies of this charter are also being filed with the Library of Congress, the Senate Committees on Armed Services; and the House Committees on Armed Services, Appropriations.

Sincerely,

A handwritten signature in black ink, which appears to read "James D. Freeman II", is written over a horizontal line.

James D. Freeman II
Deputy Committee Management Officer
for the Department of Defense

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ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE

1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

July 27, 2010

The Honorable Carl Levin
Chairman
Committee on Armed Services
United States Senate
228 Russell Senate Office Building
Washington, D.C. 20510

Dear Mr. Chairman,

Enclosed is a copy of the charter that renews Uniform Formulary Beneficiary Advisory Panel, which is being filed with your office in accordance with the Federal Advisory Committee Act of 1972, as amended (5 U.S.C. Appendix).

Copies of this charter are also being filed with the Library of Congress, the Senate Committees on Appropriations; and the House Committees on Armed Services, and Appropriations.

Sincerely,

A handwritten signature in black ink, which appears to read "James D. Freeman II", is written over a large, stylized "D" that serves as a background for the signature.

James D. Freeman II
Deputy Committee Management Officer
for the Department of Defense

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CHARTER
UNIFORM FORMULARY BENEFICIARY ADVISORY PANEL

1. Committee's Official Designation: The Committee shall be known as the Uniform Formulary Beneficiary Advisory Panel (hereafter referred to as "the Panel").
2. Authority: The Secretary of Defense, under the provision of 10 U.S.C. § 1074g(c), the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix) and 41 CFR § 102-3.50(a), established the Panel.
3. Objectives and Scope of Activities: The Panel shall provide independent advice and recommendations on the development of the uniform formulary, as set out in (4) below.
4. Description of Duties: The Panel shall provide the Secretary of Defense, through the Under Secretary of Defense (Personnel and Readiness), the Assistant Secretary of Defense (Health Affairs) and the Director TRICARE Management Activity, independent advice and recommendations on the development of the uniform formulary. The Secretary of Defense shall consider the comments of the Panel before implementing the uniform formulary or implementing changes to the uniform formulary.

The Under Secretary of Defense (Personnel and Readiness) or designated representative may act upon the Panel's advice and recommendations.

5. Agency or Official to Whom the Committee Reports: The Panel shall report to the Secretary of Defense, through the Under Secretary of Defense (Personnel and Readiness), the Assistant Secretary of Defense (Health Affairs) and the Director TRICARE Management Activity.
6. Support: The Department of Defense, through the Under Secretary of Defense (Personnel and Readiness) and the TRICARE Management Activity, shall provide support as deemed necessary for the performance of the Panel's functions, and shall ensure compliance with the requirement of the Federal Advisory Committee Act of 1972 and the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b).

Additional information and assistance, as required, may be obtained from other DoD Components with contracting authority, support contractors, including DoD Federally Funded Research and Development Centers for studies and analysis support.

7. Estimated Annual Operating Costs and Staff Years: It is estimated that the annual operating costs, to include travel costs, meetings and contract support, is \$126,849.00. The estimated annual personnel cost to the Department of Defense is 1.0 full-time equivalent (FTE).
8. Designated Federal Officer: The Designated Federal Officer, pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in

accordance with established DoD policies and procedures. In addition, the Designated Federal Officer is required to be in attendance at all Panel and subcommittee meetings; however, in the absence of the Designated Federal Officer, the Alternate Designated Federal Officer shall attend the meeting.

9. Estimated Number and Frequency of Meetings: The Panel shall meet at the call of the Designated Federal Officer, in consultation with the Panel's chairperson. The estimated number of Panel meetings is four per year.
10. Duration: The need for this advisory function is on a continuing basis; however this charter is subject to renewal every two years.
11. Termination: The Panel shall terminate upon completion of its mission or two years from the date this charter is filed, whichever is sooner, unless the Secretary of Defense extends it.
12. Membership and Designation: The Panel, pursuant to 10 U.S.C. § 1074g(c)(2), shall be comprised of no more than fifteen members. The Panel membership shall include:
 - a. Non-governmental organizations and associations that represent the views and interests of a large number of eligible covered beneficiaries;
 - b. Contractors responsible for the TRICARE retail pharmacy program;
 - c. Contractors responsible for the national mail-order pharmacy program; and
 - d. TRICARE network providers.

Panel members, who are not full-time or permanent part-time federal officers or employees, shall be appointed as experts and consultants under the authority of 5 U.S.C. § 3109 and serve as special government employees. All panel members, including those appointed as experts and consultants under Section 3109, shall be appointed by the Secretary of Defense and their appointments shall be renewed on an annual basis.

The Panel members shall select the Panels Chairperson from the total membership.

With the exception of travel and per diem for official travel, Panel and subcommittee members shall serve without compensation.

13. Subcommittees: With DoD approval, the Panel is authorized to establish subcommittees, as necessary and consistent with its mission. These subcommittees or working groups shall operate under the provisions of the Federal Advisory Committee Act of 1972, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b), and other governing Federal statutes and regulations.

Such subcommittees or workgroups shall not work independently of the chartered Panel, and shall report all their recommendations and advice to the Panel for full deliberation and discussion. Subcommittees or workgroups have no authority to make decisions on behalf of the chartered Panel; nor can they report directly to the Department of Defense or any Federal officers or employees who are not Panel members.

Subcommittee members, who are not Panel members, shall be appointed in the same manner as the Panel members. Subcommittee members, who are not full-time or permanent part-time government employees, shall be appointment by the Secretary of Defense according to governing DoD policies and procedures. Such individuals shall be appointed as experts and consultants under the authority of 5 U.S.C. § 3109, and shall serve as special government employees, whose appointments must be renewed annually.

14. Recordkeeping: The records of the Panel and its subcommittees shall be handled according to section 2, General Record Schedule 26 and governing Department of Defense policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552).

15. Filing Date: July 27, 2010